

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

OPTi INC.

Plaintiff,

V.

**VIA TECHNOLOGIES, INC., AND
VIA TECHNOLOGIES, INC. (TAIWAN)**

Defendants.

Civil Action No. 2:10-CV-279-JRG

JURY TRIAL DEMANDED

THE PARTIES STIPULATED EXHIBITS REGARDING OPTi'S LACHES REBUTTAL¹

Prosecution of the Pre-snoop Patents (1998-2002)

Exhibit Number	Description	Date
PTX 016	U.S. Patent No. 6,405,291	6/11/2002

Correspondence Between OPTi and VIA (1998-2002)

JTX 043	Letter Elson to Strabala	12/18/1998
PTX 170	Email from OPTi re Overview of Patents	7/25/2000
JTX 045	Letter Douglas Derwin to Johnny Lee re U.S. Patent Nos. 5,710,906 and 5,813,036	8/11/2000

¹ Pursuant to the parties' stipulation, attached hereto as Exhibit A is a summary timeline accurately depicting the evidence presented in this pleading.

PTX 471	Letter to J. Ferrell re VT82C505 datasheet	9/22/2000
PTX 472	Email to J. Ferrell re Latest Via Timing Diagram	12/4/2000
JTX 046	Email Daniel Siegel to John Ferrell re FW: Latest VIA Timing Diagram	12/7/2000
JTX 047	Email Doug Derwin to Dan Siegel re FW: Timing diagram/subject to FRE 408	12/15/2000
PTX 474	Letter to J. Ferrell re VT82C505 datasheet	12/18/2000
PTX 475	Email chain re Comments re Latest Via Simulation	1/4/2001
PTX 476	Email chain re Via/OPTi Question re: VIA 530mv chipset	1/23/2001
PTX 477	Email re OPTi v Via	1/31/2001
JTX 049	Fax John Ferrell to Douglas Derwin re copy of email sent earlier today	2/6/2001
PTX 479	Fax to J. Ferrell attaching Notice of Allowance and Issue Fee	5/6/2002
JTX 051	Letter Douglas Derwin to Paul Shan re OPTi patents	6/24/2002
JT X 052	Letter Nancy Chang to Douglas Derwin re OPTi patents	7/8/2002

National Semiconductor Litigation (2002-2003)

Exhibit Number	Description	Date
PTX 481	Complaint for Patent Infringement in OPTi Inc. v. National Semiconductor, 5:02-cv-2106, dated April 30, 2002	4/30/2002
PTX 126	National Semiconductor Agreement	6/26/2003

AMD Pre-snoop Negotiation (2002)

PTX 191	OPTi Letter to AMD re Meeting of July 10 and Apologizing for Farina's lack of response to information furnished re Motorola Prior Art; attachment re MPC106	7/16/2002
------------	---	-----------

PTX 480	Letter to B. Marren re the 10/94 IEEE Garcia and Reynolds article	9/24/2002
PTX 172	Fax cover to Sherman Wan from AMD with emails and invoice attachments from VIA Technologies	9/25/2002

nVidia Pre-Snoop Negotiation (2002)

JTX 053	Letter Douglas Derwin to Jeff Herbst re OPTi patents	9/30/2002
JTX 054	Presentation re OPTi Pre-Snoop Patents	Early 2004 ²

Counsel Search (2003-2004)

	5/31/13 Marren Testimony	
--	--------------------------	--

nVidia Litigation (2004-2009)

PTX 482	Complaint for Patent Infringement in OPTi Inc. v. nVidia 2:04-cv-377 dated October 19, 2004	10/19/2004
JTX 057	OPTi NVIDIA Settlement and License Agreement	8/3/2006
PTX 245	Final Award in re nVidia/ Opti Arbitration	10/16/2008
DTX 365	OPTi Inc. 10-K for the fiscal year ended March 31, 2009	6/26/2009

VIA Product Launch Dates (2005)

PTX 458	VIA Product Launch Dates	7/4/2005
------------	--------------------------	----------

² Exhibit has no date. Date taken from 12/11/12 Mazzoni Dep. 65:11-15.

AMD Litigation (2006-2010)

PTX 483	Complaint for Patent Infringement in OPTi Inc. v. AMD 2:06-cv-477 dated November 15, 2006	11/15/2006
PTX 488	AMD Subpoena to Via (OPTi v VIA)	8/20/2008
JTX 058	OPTi AMD Settlement and License Agreement	4/30/2010

LPC Litigation Settlement (2009)

PTX 50	VIA LPC Settlement Agreement ³	10/1/2009
--------	---	-----------

Apple Litigation (2007-2010)

PTX 484	Complaint for Patent Infringement in OPTi Inc. v. Apple 2:07-cv-021 dated January 16, 2007	1/16/2007
JTX 059	OPTi Apple Settlement and License Agreement	12/6/2010

³ OPTi substitutes this dated exhibit in place of PTX 334, which did not have a date on its face.

Respectfully submitted,

MCKOOL SMITH, P.C.

/s/ Sam Baxter

Sam Baxter
104 East Houston Street, Suite 300
P.O. Box O
Marshall, Texas 75670
Phone: (903) 923-9000
Fax: (903) 923-9099

Michael L. Brody
J. Ethan McComb
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, Illinois 60601
Telephone: (312) 558-5600
mbrody@winston.com
emccomb@winston.com

Taras A. Gracey
Robert G. Pluta
STEPTOE & JOHNSON LLP
115 S. LaSalle Street
Suite 3100
Chicago, IL 60603
Telephone: (312) 577-1259
tgracey@steptoe.com
rpluta@steptoe.com

**ATTORNEYS FOR PLAINTIFF
OPTi INC.**

Respectfully submitted,

BUETHER JOE & CARPENTER, LLC

/s/ Brian A. Carpenter

Brian A. Carpenter
State Bar No. 03840600
Brian.Carpenter@BJCIPLaw.com
1700 Pacific Avenue
Suite 4750
Dallas, TX 75201
Telephone: (214) 466-1273
Facsimile: (214) 635-1829

**ATTORNEYS FOR DEFENDANTS VIA
TECHNOLOGIES, INC., A CALIFORNIA
CORPORATION, AND VIA
TECHNOLOGIES, INC., A TAIWAN
CORPORATION**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a) on this 6th day of June, 2013. Any other counsel of record will be served by facsimile transmission and first class mail.

/s/ Robert G. Pluta